

V. REMARKS

Entry of the Amendment is proper under 37 C.F.R. §1.116 because the Amendment: a) places the application in condition for allowance for the reasons discussed herein; b) does not raise any new issue requiring further search and/or consideration because the Amendment amplifies issues previously discussed throughout prosecution; and c) places the application in better form for appeal, should an Appeal be necessary. The Amendment is necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. The amendments to the subject claims do not incorporate any new subject matter into the claims. Thus, entry of the Amendment is respectfully requested.

Claims 1 and 4 are rejected under 35 USC 103 (a) as being unpatentable over Kumagai et al. (U.S. Patent No. 6,250,600) in view of Umemura et al. (U.S. Patent Application Publication No. 2002/0098091). The rejection is respectfully traversed.

Kumagai teaches a bellows-type pressure responsive valve that includes a bellows of closed structure as a pressure sensing element. The bellows is adapted to vary an opening amount of the valve by transmitting expansions and contractions of the bellows to a valve body by means of a valve rod which is supported on a valve housing so as to move in a valve lifting direction. A first spherical coupling structure is incorporated at a connecting portion of the bellows and the valve rod. The bellows and the valve rod are spherically connected by means of the first spherical coupling structure.

Umemura discloses a control valve for a variable displacement type compressor. The control valve has a valve housing and a valve chamber defined in the valve housing. A valve body is accommodated in the valve chamber for adjusting the opening degree of a supply passage. A pressure sensing chamber is defined in the valve housing. The pressure at a pressure monitoring point in a refrigerant circuit is applied to the pressure sensing chamber. A bellows is located in the pressure

sensing chamber. The bellows has a movable end. A transmission rod is slidably supported by the valve housing. The transmission rod includes the valve body. A support spring is located between the inner wall of the pressure sensing chamber and the movable end of the bellows. The spring supports the movable end such that the movable end can be displaced. The movable end of the bellows includes a protrusion such that the spring and the movable end of the bellows are fitted to each other.

Claim 1, as amended, is directed to a control valve for a variable capacity compressor, which comprises a bellows main body retained as a pressure sensing element in a bellows case with an airtight structure and transfers expansion and contraction of the bellows main body in response to a variation in inlet pressure of the variable capacity compressor to a valve element through a valve rod supported to be movable in a valve lifting direction from a valve housing integral with the bellows case to thereby change a valve opening degree. Claim 1 recites that a patch member is provided to a movable-side end portion of the bellows main body and is formed with a fitting recessed portion defining a valve- end receiving chamber extending in the valve lifting direction. Claim 1 also recites that a connecting end portion of the valve rod is fitted to be able to float in the fitting recessed portion, an edge of the connecting end portion of the valve rod is roundly or hemispherically shaped and the fitting recessed portion is formed such that the patch member can be tilted with respect to the valve rod. Further, claim 1 recites that a compression coil spring is disposed between the patch member and a lower patch member for supporting a fixed-side end portion of the bellows main body. Additionally, claim 1 recites that the valve housing is formed with a valve rod retaining hole formed therethrough and is sized to slidably receive the valve rod in a close-fitting relationship so that one end portion of the valve rod contacts the valve element while the contact end portion of the valve rod disposed opposite the one end portion of the valve rod contacts the fitting recessed portion with the contact end portion of the valve rod sized to be

received in the valve-end receiving chamber of fitting recessed portion in a close-fitting relationship.

It is respectfully submitted that none of the applied art, alone or in combination, teaches or suggests the features of claim 1 as amended. Specifically, it is respectfully submitted that the applied art, alone or in combination, fails to teach or suggest that the valve housing is formed with a valve rod retaining hole formed therethrough and is sized to slidably receive the valve rod in a close-fitting relationship so that one end portion of the valve rod contacts the valve element while the contact end portion of the valve rod disposed opposite the one end portion of the valve rod contacts the fitting recessed portion with the contact end portion of the valve rod sized to be received in the valve-end receiving chamber of fitting recessed portion in a close-fitting relationship. Thus, it is respectfully submitted that one of ordinary skill in the art could not combine the features of the applied art to arrive at the claimed invention because the applied art is devoid of all the features of the claimed invention. As a result, it is respectfully submitted that claim 1 is allowable over the applied art.

Claim 4 depends from claim 1 and includes all of the features of claim 1. Thus, it is respectfully submitted that the dependent claim is allowable at least for the reasons claim 1 is allowable as well as for the features it recites.

Withdrawal of the rejection is respectfully requested.

Claims 2 and 5 are rejected under 35 USC 103 (a) as being unpatentable over Taguchi (U.S. Patent No. 6,179,572) in view of Umemura et al. The rejection is respectfully traversed.

Taguchi teaches a variable displacement compressor that is provided with a displacement control valve mechanism. This displacement control valve mechanism includes a pressure chamber defined from a valve chamber, a second passage

leading to the pressure chamber and a crank chamber and a valve guide portion which supports a valve body while allowing the valve body inserted therein. The displacement control valve mechanism has one end of the valve body exposed to the pressure chamber having a pressure receiving area. The variation in the characteristics of this displacement control valve mechanism can be realized by a simple alteration in pressure receiving area.

Claims 2 and 5 depend from claim 1 and include all of the features of claim 1. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 1 is allowable as well as for the features they recite.

Withdrawal of the rejection is respectfully requested.

Furthermore, Applicants respectfully request rejoinder of withdrawn claims 3 and 6 to the application because it is respectfully submitted that claim 1 is generic to all species.

Further, Applicants assert that there are also reasons other than those set forth above why the pending claims are patentable. Applicants hereby reserve the right to submit those other reasons and to argue for the patentability of claims not explicitly addressed herein in future papers.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance; the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same,

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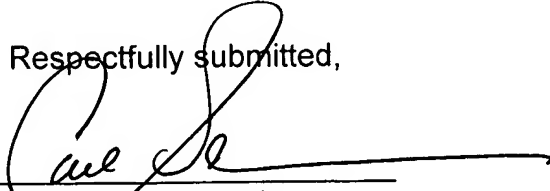
Application No. 10/689,699

the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

Date: July 8, 2008

By:


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Enclosure(s): Amendment Transmittal

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